



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 25, 2014

BY ECF

Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street, Suite 755
New York, New York 10007

**Re: *Securities and Exchange Commission v. Konigsberg*
 No. 13 Civ. 6859 (LTS)**

Dear Judge Swain:

On December 12, 2013, the United States Attorney's Office for the Southern District of New York (the "Government") moved to intervene in the above-captioned case for the limited purpose of seeking a stay of discovery during the pendency of the related criminal prosecution, *United States v. Paul J. Konigsberg*, S11 10 Cr. 228 (LTS). Earlier today, the Court's staff notified the Government that the parties have submitted a proposed final judgment in this case. Although the Government has not yet had an opportunity to review the proposed judgment, we understand that it would resolve this case in its entirety, without the need for discovery.¹ Accordingly, the Government hereby withdraws its motion to intervene, without prejudice to renew it in the event that the Court rejects the proposed judgment or discovery otherwise becomes a possibility. Thank you for your consideration.

Respectfully,

/s/ Matthew L. Schwartz
MATTHEW L. SCHWARTZ
Assistant United States Attorney
Tel.: (212) 637-1945

cc: BY ECF

All parties

¹ If our understanding of the terms of the proposed judgment is incorrect, we respectfully request that the Court or the parties notify us, so that we can clarify whether the Government still wishes to withdraw its motion.